

In the drawings:

Please correct Figures 8, 9 and 14 of the application drawings as indicated in red ink on the enclosed marked-up copies of these respective figures.

Replacement figures incorporating these changes are also enclosed herewith.

II. RESPONSE TO OFFICE ACTION

Claims 1 and 14 have been amended to even more particularly point out and claim the subject matter of the claims. Claims 1-16 are pending in the present application.

Support for the amendments are found in the specification and claims as filed, for example, at page 10, lines 12-19.

A. The Objection to the Drawings

Filed concurrently herewith are corrected figures 8, 9 and 14. Specifically, in Figures 8 and 9, the central electrode track has been labeled the reference character “39” in response to the Examiner’s objection to these figures. The specification has been amended accordingly.

In Figures 14a and 14b, the reference character “14” has been replaced with the reference character “4” to address the Examiner’s objection to these Figures.

In view of these amendments, Applicants respectfully request that the Examiner withdraw the objections to the figures. Favorable reconsideration is requested.

B. The Title

The title has been amended in the manner suggested by the Examiner. Favorable reconsideration is requested.

C. The Objections to the Claims

With the accompanying amendments, Claim 14 is now an independent claim. Furthermore, the claims have been amended so that the subject matter of previous claims 8, 11 and 12 is now present in amended claims 7, 10 and 11, respectively.

In view of these amendments, Applicants respectfully request that the Examiner withdraw the objections to the claims. Favorable reconsideration is requested.

D. The 35 U.S.C. § 102 Rejection Over Saurer

The Examiner rejected claims 1-4 under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,395,504 to Saurer. Applicants respectfully traverse these rejections for the following reasons.

Amended independent claim1 recites, in part, “a test area for application of a sample to the sensors” and “wherein the contacts remain in a fixed location relative to the test area when the reel is advanced”.

Turning to Saurer, such a limitation is not found. In Saurer, the electrical contacts 63 of the meter that are in contact with the electrode tracks 23, 24 are permanently connected to the tail end of the sensor strip, and the leading edge of the sensor strip projects out of the meter where a fluid sample is applied to it (*see* Saurer, Figures 12 & 13). The conductive tracks between the sample application area and the contacts 63 *shortens* each time the strip is advanced. As shown in Figures 12 and 13 of Saurer, the contacts 63 are mounted on a connecting device 64 which is solid with a cursor 56 and guided by a ramp 66 “enabling it to move inside the housing” (*see* Saurer at col. 7, lines 33-34). Because Saurer does not disclose electrical contacts that remain in a fixed location relative to a test area when a plurality of sensors on a reel is advanced, Saurer cannot anticipate claim 1 or claims 2-4 that depend therefrom.

Amended claim 1 is also non-obvious over Saurer. To begin with, it is not clear how the Saurer device could be modified to provide sensors on a reel, since the electronic circuit 60 and cord 62 would need to be accommodated on the reel. Moreover, even if the Saurer device were

somehow to be modified by providing the sensors on a reel, there is no teaching or suggestion in Saurer to provide contacts that remain in a fixed location relative to the test area when the reel is advanced. As described above, the length of Saurer's conductive tracks between the sample application area and the contacts shortens each time Saurer's strip is advanced. As a result, there would be a significant change of resistance between the leading sensor and the meter as the reel advanced and the conductive tracks shortened, which would cause problems in accurately calibrating the meter. The present invention overcomes these problems by providing a meter in which the reel is slidable over the electrical contacts, permitting the contacts to maintain a fixed location relative to the sample application area. This arrangement maintains a constant length of the conductive tracks between the contacts and the sample application area.

In view of the above, it is submitted that present claim 1 is neither disclosed nor suggested by the prior art of record and is therefore novel and nonobvious over same. Since claim 1 is patentable, it follows that claims dependent on claim 1 are also patentable. Therefore, claims 1-4 are patentable over the cited references. Favorable reconsideration is requested.

E. The 35 U.S.C. § 103 Rejection Over Saurer, Osaka and Dinger

The Examiner rejected previous claims 5, 6, 8 and 10-16 under 35 U.S.C. §103 as being unpatentable over Saurer in view of U.S. Patent No. 5,228,972 to Osaka. The Examiner also rejected claims 7 and 9 under 35 U.S.C. §103 as being unpatentable over Saurer and Osaka and further in view of U.S. Patent No. 5,525,297 to Dinger. Applicants respectfully traverse these rejections for the following reasons.

Each of previous dependent claims 5-13 and pending dependent claims 5-13 (rewritten as described above in Section II.C. to overcome the objections to the claims) depend from claim 1

which has been shown above to be novel and nonobvious over Saurer. Neither Osaka or Dinger add anything in this regard. Therefore, pending claims 5-13 are also novel and non-obvious over the cited references.

Amended independent claim 14 recites, in part, that “when the cartridge is mounted in a meter with electrode contacts of the meter touching said conductive tracks at said test area, said contacts will remain at a fixed distance from the test area when the reel is advanced.” As previously shown, Saurer does not disclose electrical contacts that remain at a fixed distance relative to a test area when a plurality of sensors on a reel is advanced. Thus, Saurer cannot anticipate claim 14. Furthermore, claim 14 is not obvious over Saurer because there is no teaching or suggestion in Saurer to provide contacts that remain at a fixed distance from a test area when a reel is advanced. Each of dependent claims 15 and 16 depend from claim 14, and are therefore novel and nonobvious over Saurer for the same reasons. Neither Osaka or Dinger add anything in this regard. Therefore, claims 15 and 16 are also novel and non-obvious over the cited references.

In view of the above, claims 5-16 are patentable over the cited references. Favorable reconsideration is requested.

F. Information Disclosure Statement

Applicant hereby requests an indication of consideration of the Information Disclosure Statement submitted by Applicant on May 21, 2003.

After review of the file, it was discovered that the initialed Form PTO-1449 form for this Information Disclosure Statement was not received from the Examiner.

For the convenience of the Examiner, Applicants have attached to this Request a copy of this Information Disclosure Statement, PTO-1449 form and return postcard indicating receipt by the Patent Office.

G. Conclusion

The pending claims have been shown above to be allowable over the cited references. Applicants therefore respectfully submit that claims 1-14 are in condition for allowance. Reconsideration of the application and claims is courteously solicited.

No extension of time is believed to be needed in connection with the filing of this paper. However, if an extension is deemed to be needed, please consider this paper to be a request for such extension and deduct any required fee from deposit account 10-1205/DUMM:009US. Should any fees under 37 CFR 1.16-1.21 be required for any other reason relating to the enclosed materials, the Commissioner is authorized to deduct such fees from Deposit Account No. 10-1205/DUMM:009US. The examiner is invited to contact the undersigned at the phone number indicated below with any questions or comments, or to otherwise facilitate expeditious and compact prosecution of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William W. Enders", written over a horizontal line.

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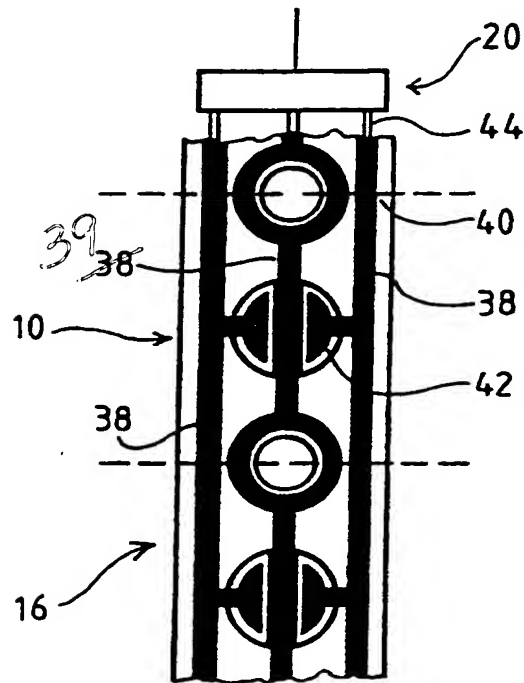


Fig. 8



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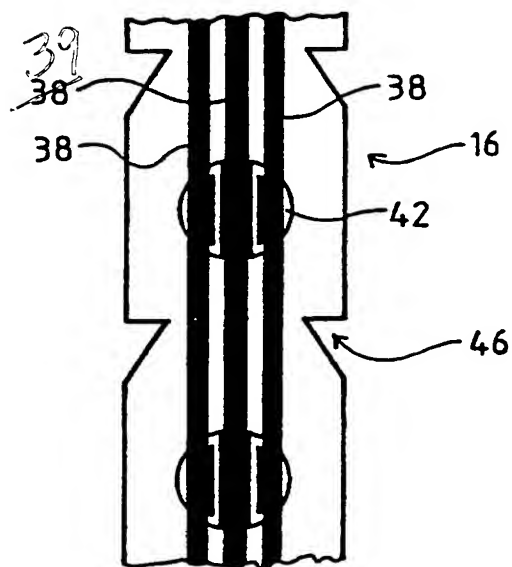


Fig. 9



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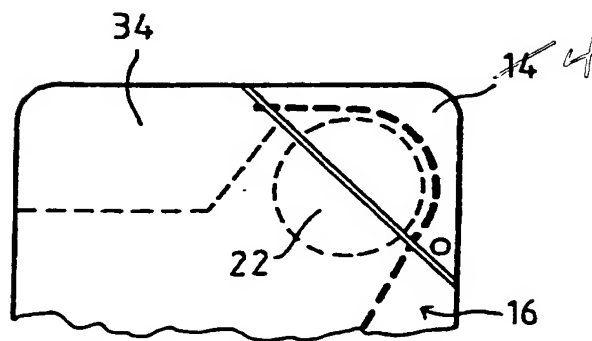


Fig. 14 a

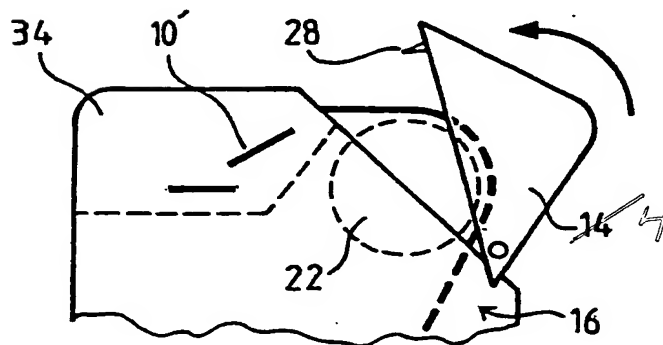


Fig. 14 b